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**OFFICE OF THE ATTORNEY GENERAL
ENVIRONMENTAL ENFORCEMENT SECTION**

Arizona Corporation Commission

DOCKETED**MEMORANDUM**

NOV 22 2002

TO: Ms. Colleen Ryan
Docket Control
Arizona Corporation Commission

FROM: Laurie A. Woodall
Chairman, Line Siting Committee

DATE: November 21, 2002

RE: APS - North Valley, Docket No. 120

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AZ CORP COMMISSION
DOCUMENT CONTROL

2002 NOV 22 P 3:44

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Attached is a letter dated November 20, 2002, and recently received from the Arizona State Parks in the above-referenced docket. Please file in public comment.

Thank you.

In reply, please refer to
SHPO-2002-1521 (13173)
general comments

November 20, 2002

Laurie A. Woodall, Chairperson
Power Plant & Transmission Line Siting Committee
Assistant Attorney General, Environmental Enforcement Section,
Office of the Attorney General
1275 West Washington
Phoenix, Arizona 85007

RE: Proposed North Valley 230kV Transmission Line, Maricopa County, Arizona

Dear Ms. Woodall:

Jane Dee Hull
Governor
State Parks
Board Members
Chair
Suzanne Pfister
Phoenix
Vice-Chair
Joseph H. Holmwood
Mesa
John U. Hays
Yarnell

Thank you for having the committee's applicant (i.e., Arizona Public Services Co.) continue to consult with our office regarding the above-mentioned project's certificate of environmental compatibility. The proposed state plan entails the siting and eventual construction of an approximately 31-mile-long overhead utility line between three existing substations: Westwing, Raceway, and Pinnacle Peak. The project occurs on lands administered by the Arizona State Land Department (ASLD) and private land. Historian Bill Collins and I reviewed the documents submitted and offer the following comments pursuant to the State Historic Preservation Act (i.e., A.R.S. § 41-861 to 41-864) and the committee's factors to be considered (i.e., A.R.S. § 40-360.06.A.5).

Elizabeth Stewart
Tempe
William C. Porter
Kingman
Walter D. Armer, Jr.
Benson
Michael E. Anable
State Land
Commissioner

The cultural resource survey of the proposed right-of-way corridor identified two historic-period structures, 10 archaeological sites, and 89 isolated artifact and/or feature occurrences (IOs); three previously recorded archaeological sites (i.e., AZ T:8:104 ASU, U:5:72 & 73 ASU) were not reidentified and are presumed destroyed. The report was professionally prepared and thorough. My technical comments on the report are provided on the attached page. Please consider any comments the committee receives from ASLD regarding cultural resource issues as well.

Kenneth E. Travous
Executive Director
Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007
Tel & TTY: 602.542.4174
www.azstateparks.com
800.285.3703 from
(520 & 928) area codes

We agree that the Beardsley Canal (AZ T:3:55 ASM) is eligible for inclusion in the State and/or National Registers of Historic Places (SNRHP) under Criterion A (Event) and other criterion may apply as well. We cannot agree with the consultant's eligibility assessment for abandoned segment of historic Black Canyon Road identified as AZ T:4:131 (ASM) at this time. The significance of early automotive roads has not yet been formally evaluated. We suggest treating the road as if it were Register-eligible for purposes of this plan.

General Fax:
602.542.4180
Director's Office Fax:
602.542.4188

We also agree that archaeological sites AZ T:7:192 (ASM), AZ T:3:1 (MNA) and AZ T:3:2 (MNA) are eligible for inclusion in the SNRHP under Criterion D (Information Potential). We agree that Sites AZ T:8:166, T:8:167, T:7:276, and

T:4:375 (ASM) as well as AZ T:8:104, U:5:72, U:5:73 (ASU) are ineligible for inclusion in the SNRHP under any criterion. We agree that the IOs are not eligible under any criterion.

We cannot completely agree with the consultant's eligibility assessment for Sites AZ T:3:274 and AZ T:3:264 (ASM). These sites may indeed be Register-eligible, but the detailed survey-level recording realized their apparent limited information potential. In such situations, we recommend sites as ineligible, because further preservation treatment is unnecessary.

In regards to AZ T:4:374 (ASM), we prefer to view this historic-period trash scatter as a road-related feature (i.e., a component of Black Canyon Road). While this feature may contribute to the road's Register-eligibility status, the detailed survey-level recording realized its apparent limited information potential. No further preservation treatment is warranted for this road component at this time.

We agree in principle that avoidance and preservation-in-place are appropriate treatments for the Register-eligible properties mentioned above. In fact, the transmission line may help protect historic properties by inhibiting other kinds of development within the proposed corridor. No further treatment is need for properties determined as ineligible.

However, the locations of the poles and access roads are unknown at this time, and it is likely that AZ T:7:192 (ASM) cannot be spanned or avoided. Simply avoiding impacting the three identified loci within the site is likely insufficient. When the pole locations, staging areas, and access routes are known for this transmission line segment, we suggest that the portion of site to be impacted be reevaluated and perhaps examined further. For example, the results of the proposed excavation project located adjacent to the project area may provide new information on the distribution and depth of cultural features and deposits within the site.

Based on the above, this office cannot assess the plan's effects at this time, and thus cannot concur with determination of impact at this time. Unless all historic properties can be avoided, a determination of negative impacts is likely.

If archaeological sites cannot be avoided by ground-disturbing activities, data recovery treatment within the portions of the properties directly impacted (and a buffer zone if necessary) is appropriate.

We offer the following conditions for the committee's consideration:

- 1) The applicant will continue to consult, on the committee's behalf, with the State Historic Preservation Office (SHPO) to reach a determination of impact. If the

result is a determination of negative impact, the applicant will continue to consult with SHPO to resolve the negative impacts.

- 2) The applicant will avoid and/or minimize impacts to properties considered eligible for inclusion in the State and National Register of Historic Places to the extent possible.
- 3) If the applicant decides that historic-period structures Beardsley Canal and Black Canyon Road and archaeological Sites AZ T:7:192 (ASM), AZ T:3:1 (MNA) and AZ T:3:2 (MNA) cannot be avoided, then the applicant will plan and implement a mitigation program in consultation with SHPO.
- 4) After construction, the applicant, in conjunction with the land-managing agency, if any, will allow Arizona Site Stewards, a volunteer-staffed SHPO-sponsored program, to periodically inspect the sites present within the corridor for vandalism or other damage.
- 5) In consultation with SHPO and the land-managing agency, the applicant will consider and assess potential direct and indirect impacts to eligible properties related to new access roads or any existing access roads that require blading.
- 6) The applicant will follow any instructions from the Arizona State Land Department regarding the treatment of State Register of Historic Places-eligible properties situated on their land in consultation with SHPO.

We appreciate the committee's cooperation with this office in considering the effects of state plans on cultural resources situated in Arizona. If you have any questions, please contact me at (602) 542-7137.

Sincerely,



Matthew H. Bilsbarrow, RPA
Compliance Specialist/ Archaeologist
Arizona State Historic Preservation Office

cc.
Bill Collins, SHPO
Steve Ross, ASLD; 1616 W Adams St; Phoenix, AZ 85007
Kris Dobschuetz, Manager, EPC; 4350 E Camelback Rd, Ste G-200; Phoenix, AZ 85018

General and Technical Comments on "A Cultural Resources Survey for the North Valley 230kV Transmission Line Project" Environmental Planning Group Cultural Resources Services Technical Paper No. 2002-16. Phoenix.

General Comments

- 1) Overall the report is professionally prepared and well-written. The photographs and maps were helpful.

Technical Comments

- 1) This report is the first time our office has seen the term "solarized glass." Is it the same as "sun-colored amethyst glass," a term that is also used in the report, or does it broadly include all types glass that have been affected by exposure to sunlight?
- 2) The terms "soldier-top cans" and "backing powder," which are used multiple times in the report appear to be typographical errors, and detract from the usefulness of the site descriptions in future research.
- 3) On page 144, the authorship of "The Stratigraphy and Archaeology of Ventana Cave" is misattributed.